



4410-15

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree under the Comprehensive Environmental Response, Compensation, and Liability Act

On September 19, 2019, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the Northern District of New York in the lawsuit entitled *United States v. Gaetano Associates LP and Charles A. Gaetano Construction Corporation*, Civil Action No. 6:19-cv-01162. In the filed Complaint, the United States, on behalf of the U.S. Environmental Protection Agency (“EPA”), alleges that the Defendants are liable under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9607(a), for the response costs EPA incurred to respond to the releases and/or threatened releases of hazardous substances into the environment from a parcel of property where the former Charlestown Mall outlet is located in Utica, New York that the Defendants owned and operated. The Consent Decree requires the Defendants to pay \$1.85 million in a lump sum to the United States for the settlement of the allegations in the filed Complaint.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Gaetano Associates LP and Charles A. Gaetano Construction Corporation*, D.J. Ref. No. 90-11-3-11061. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	pubcomment-ees.enrd@usdoj.gov

By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611
---------	---

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library
U.S. DOJ – ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

Please enclose a check or money order for \$9.50 (25 cents per page reproduction cost), payable to the United States Treasury.

Jeffrey Sands
Assistant Section Chief
Environmental Enforcement Section
Environment & Natural Resources Division

[FR Doc. 2019-21208 Filed: 9/30/2019 8:45 am; Publication Date: 10/1/2019]